Netflix, Inc. v. Blockbuster, Inc.

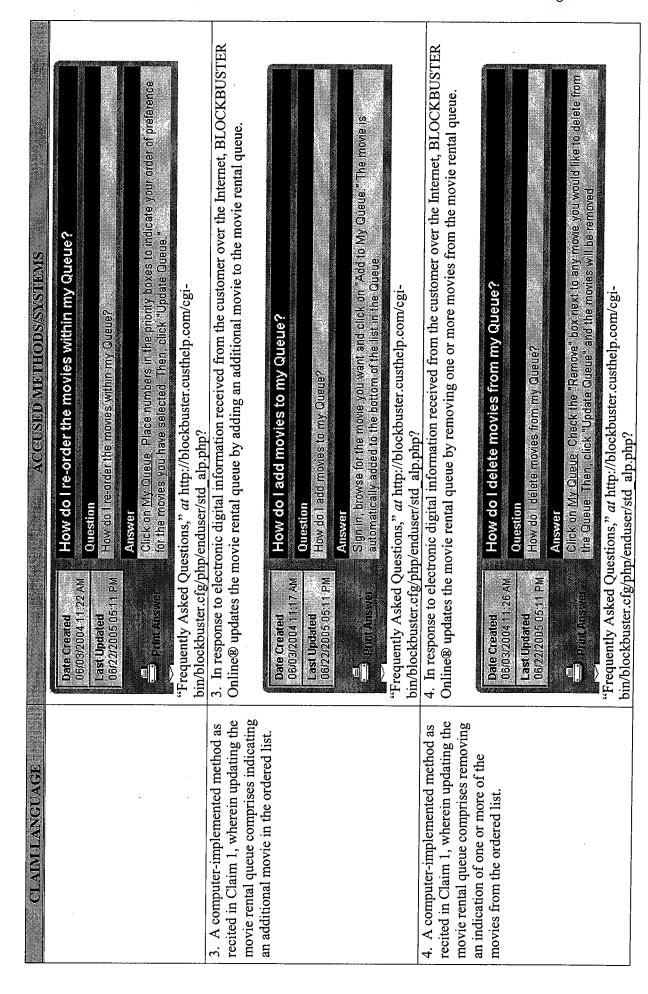
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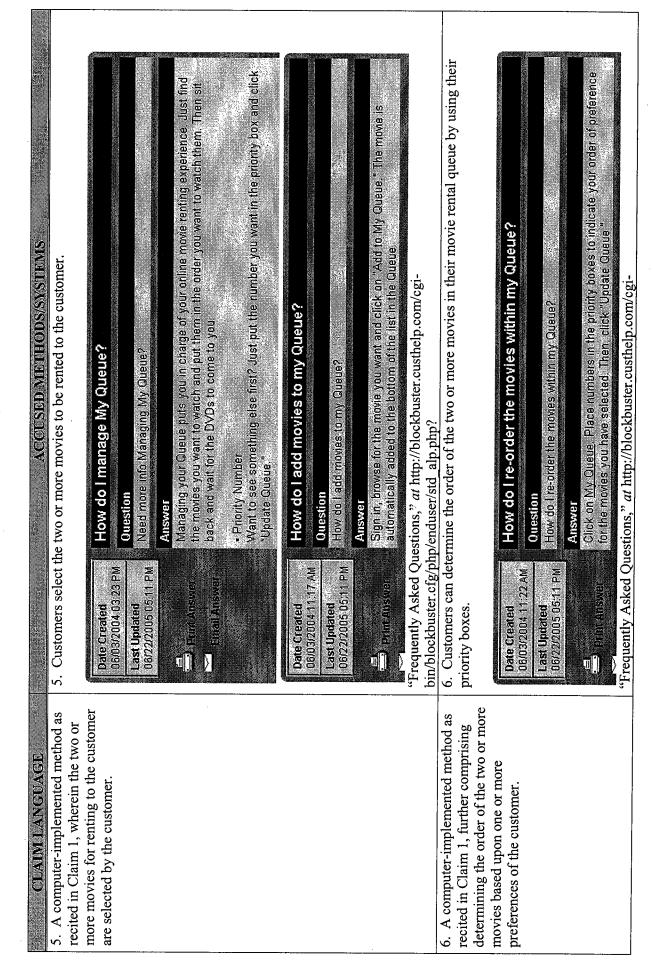
EXHIBIT A

Case 3:06-cv-02361-WHA

from electronic digital information electronic movie rental movies to be rented to the customer. If the information electronic movies to be rented to the customer.	ing two	tomer; Last Undated 0.01estion Need more info Managing My Queue?	Answer Managing your Queue puts you in charge of your online movie renting experience. Just find the movies you want to watch and put them in the order you want to watch them. Then sit back and wait for the DVDs to come to you.	••Priority Number Want to see something else first? Just put the number you want in the priority, box and click "Update Queue."	"Frequently Asked Questions," at http://blockbuster.custhelp.com/cgi- bin/blockbuster.cfg/php/enduser/std_alp.php?	causing to be delivered to the customer 1c. BLOCKBUSTER Online® causes to be delivered to the customer up to a specified number of movies based upon the order of the list.	"BLOCKBUSTER Online® will automatically ship titles to a [customer's] maximum number of outstanding BLOCKBUSTER Online® Rentals, from and in the order that [customers] have listed in [their] rental queue, subject to availability." Selection and Allocation of Product, BLOCKBUSTER Online® RENTAL TERMS AND CONDITIONS	in response to one or more delivery criteria being satisfied, selecting another movie based upon the order of the list and causes that selected movie to be	delivered to the customer; and For only \$17.99 a month (plus taxes) you can rent all the movies you want. Have up to 3 DVDs out at a time. Keep the DVDs as long as you want. When you're done with a DVD, just send it back in the provided postage paid envelope. We'll send you another selection from your rental queue. Keep your queue full and keep the movies coming.	"How it Works", at http://www.blockbuster.com/homepages/displayPage.action?channel1=Sign+In+Sign+Up&channel2=findoutmore&nav=false&cctr=homehowitworks
received o	comprising or more m	customer;				causing to up to a speupon the o		in response criteria bei movie base and causin	delivered t	

ACCUSED METHODS/SYSTEMS	Date Created How do I report DVD Issues: did not receive a DVD, my DVD has not been received, my DVD is damaged? Last Updated Ouestion How do I report an issue with a DVD? Answer You may report a DVD issue if a DVD is damaged or unplayable. You may also report the issue if a title does not show as checked in after 3 business days, or you have not received a title that we shipped after 3 business days, or you have not received a title that we shipped after 3 business days, or you have not received a title that we shipped after 3 business days, or you have not received a title that we shipped after 3 business days, or you have not received a title that we shipped after 3 business days, or you have not received a title that we shipped after 3 business days, or you have not received a title that we shipped after 3 business days, or you have not received a by our return center, it will allow the next DVD in your queue to be shipped.	bin/blockbuster.cfg/php/enduser/std_alp.php?	le. In response to electronic digital information received from the customer over the Internet, BLOCKBUSTER Online® electronically updates the movie rental queue.	Date Greated Bis Greated Bis Greated Bis Greated Bis Greated Constitution Consti	Answer Click on My Queue. Place numbers in the priority boxes to indicate your order of preference for the movies you have selected. Then, click "Update Queue". "Frequently Asked Questions," at http://blockbuster.custhelp.com/cgi-	2. In response to electronic digital information received from the customer over the Internet, BLOCKBUSTER Online® updates the movie rental queue by changing the order of movies contained within the movie rental queue.
CLAIMLANGUAGE			in response to other electronic digital information received from the customer over the Internet, electronically updating	the movie rental queue.		2. A computer-implemented method as recited in Claim 1, wherein updating the movie rental queue comprises changing the order of the two or more movies for renting to the customer.





7. BLOCKBUSTER Online® provides that "delivery and return of your BLOCKBUSTER Online Rentals will ACCUSED METHODS/SYSTEMS bin/blockbuster.cfg/php/enduser/std_alp.php? be via U.S. Postal Service ("USPS")," 7. A computer-implemented method as recited in Claim 1, wherein the delivery CLAINTANGUAGE

U.S. PATENT NO. 7,024,381

Delivery and Return of Rented DVDs, BLOCKBUSTER Online® RENTAL TERMS AND CONDITIONS of the selected movie comprises delivery 8. A computer-implemented method as

8. BLOCKBUSTER Online® ships optical media (i.e. DVDs) "via U.S. Postal Service ("USPS")." Delivery and Return of Rented DVDs, BLOCKBUSTER Online® RENTAL TERMS AND CONDITIONS

Receipt of a returned movie by mail is a delivery criteria. ٥.

Unlimited DVD Rentals

criteria comprises receipt of the movie by

of the selected movie comprises delivery

9. A computer-implemented method as

by mail on one or more optical media.

recited in Claim 1, wherein the delivery

recited in Claim 1, wherein the delivery

by mail

DVDs out at a time. Keep the DVDs as long as you want. When you're done with a DVD, just send it back in the provided postage paid envelope. We'll send you another selection from For only \$17.99 a month (plus taxes) you can rent all the movies you want. Have up to 3 your rental queue. Keep your queue full and keep the movies coming.

"How it Works", at

http://www.blockbuster.com/homepages/displayPage.action?channel1=Sign+In+Sign+Up&channel2=findoutmor e&nav=false&cctr=homehowitworks

queue sent, and help us follow up with the postal service. In cases where you have returned a DVD and it has not been received by our return center, it will allow the next DVD in your queue to be shipped. Make sure you are logged into our website, go to My Account and select Report DVD Issues. This function will allow you to have the same title resent, or the next available title in your issue if a title does not show as checked in after 3 business days, or you have not received a You may report a DVD issue if a DVD is damaged or unplayable. You may also report the How do I report DVD Issues: did not receive a DVD, my DVD has not been received, my DVD is damaged? litte that we shipped after 3 business days. How do I report an issue with a DVD? Question 06/03/2004 11:11 AM 03/16/2006 08:42 AM Print Answer Date Created Last Updated

"Frequently Asked Questions," at http://blockbuster.custhelp.com/cgibin/blockbuster.cfg/php/enduser/std_alp.php?

CLAIM LANGUAGE	ACCUSED METHODS/SYSTEMS
10. A computer-implemented method as recited in Claim 1, wherein a number of movies delivered to the customer and not	10. BLOCKBUSTER Online® requires that the number of movies delivered to the customer and not yet returned does not exceed the specified number of outstanding rentals allowed.
yet returned does not exceed the specified number.	"If you have the maximum number of BLOCKBUSTER Online Rentals allowed by your plan checked out, no additional movies will be shipped until you return one or more of the BLOCKBUSTER Online Rentals." Selection and Allocation of Product, BLOCKBUSTER Online® RENTAL TERMS AND CONDITIONS
11. A method as recited in claim 1, wherein the other electronic digital information indicates one or more delivery criteria being satisfied.	11. In response to an indication that one or more delivery criteria has been satisfied (e.g. problem notifications that a DVD is damaged, unplayable, or never received), BLOCKBUSTER Online® electronically updates the movie rental queue.
	Date Greated How do I report DVD Issues: did not receive a DVD, my DVD has not been received, my DVD is damaged?
	Lupdated
	Final Answer You may report a DVD issue if a DVD is damaged or unplayable. You may also report the issue if a title does not show as checked in after 3 business days, or you have not received a title that we shipped after 3 business days.
	Make sure you are logged into our website, go to My Account and select Report DVD Issues. This function will allow you to have the same title resent, or the next available title in your queue sent, and help us follow up with the postal service. In cases where you have returned a DVD and it has not been received by our return center, it will allow the next DVD in your queue to be shipped.
	"Frequently Asked Questions," at http://blockbuster.custhelp.com/cgi-bin/blockbuster.cfg/php/enduser/std_alp.php?
12. A method as recited in claim 1, wherein the other electronic digital information comprises one or more selection criteria.	12. In response to receiving one or more selection criteria (e.g. an additional selected DVD title), BLOCKBUSTER Online® electronically updates the movie rental queue.

CLAIM LANGUAGE	ACCUSED METHODS/SYSTEMS TO SEE THE SECOND SE
	Date Created Boto 3/2004 11.17 AM Cuestion Last Updated Box do Ladd movies to my Queue? O6/22/2005 05.11 PM Answer
	Sign in, browse for the movie you want and click on "Add to My Queue." The movie is automatically added to the bottom of the list in the Queue. "Frequently Asked Questions." at http://hlockhister.custhelp.com/cai.
	bin/blockbuster.cfg/php/enduser/std_alp.php?
13. A method as recited in claim 1, wherein the movies comprise any of	13. BLOCKBUSTER Online® offer a wide array of movie genres to rent.
motion pictures, television series,	More Than 50,000 Titles, Including New Releases Our online DVD library has more than 50,000 titles, and it's growing every week, You'll find
video recordings of concert	classic cinema, modern favorites, television shows, children's programming, health and fitness workouts, and, of course, the hottest new releases you've come to expect from BLOCKRISTER
and educational programs.	See "How it Works", at
	http://www.blockbuster.com/homepages/displayPage.action?channel1=Sign+In+Sign+Up&channel2=findoutmor
14. A computer-implemented method	14. See Contention 1.
for renting movies to customers, the method comprising:	
providing electronic digital information	110 Confourtion 10
that causes one or more attributes of	14a. Dee Contention Ia.
movies to be displayed;	
establishing, in electronic digital form, from electronic digital information	14b. See Contention 1b.
received over the Internet, a movie rental	
queue associated with a customer	
comprising an ordered list indicating two	
customer;	
causing to be delivered to the customer	
up to a specified number of movies based upon the order of the list, wherein the	associated with delivery.

CLAIMLANGUAGE	ACCUSED METHODS/SYSTEMS
customer is not required to return the movies within a specified time associated with delivery;	"You may keep BLOCKBUSTER Online Rentals as long as you choose during your Membership Term, for no charge other than the applicable periodic [membership fee]." Membership Plans, BLOCKBUSTER Online® RENTAL TERMS AND CONDITIONS
	No Return Dates BLOCKBUSTER Online® rental members can keep DVDs out as long as they want. There are never any due dates. Watch the DVD when it's convenient for you and send it back only when you are ready for a new selection.
	See "How it Works", at
	http://www.blockbuster.com/homepages/displayPage.action?channel1=Sign+In+Sign+Up&channel2=findoutmor e&nav=false&cctr=homehowitworks
in response to one or more delivery	14d. See Contention 1d.
criteria being satisfied, selecting another	
movie based upon the order of the list	
and causing the selected movie to be	
delivered to the customer; and	
in response to other electronic digital	14e. See Contention 1e.
information received from the customer	
over the Internet, electronically updating	
the movie rental queue.	
15. A computer-implemented method as	15. See Contention 2.
recited in Claim 14, wherein updating the	
movie rental queue comprises changing	
the order of the two or more movies for	
16 A commiter implemented mothed and	י יייייט־יט זו
recited in Claim 14, wherein undating the	10. Dee Contenuon 5.
movie rental queue comprises indicating	
an additional movie in the ordered list.	
17. A computer-implemented method as	17. See Contention 4.
recited in Claim 14, wherein updating the	
movie rental queue comprises removing	
an indication of one or more of the	
19 A	
18. A computer-implemented method as recited in Claim 14, wherein the two or	18. See Contention 5.

- CLAIM LANGUAGE CONTROL	ACCUSED METHODS/SYSTEMS
more movies for renting to the customer	
are selected by the customer.	
SI	19. See Contention 6.
recited in Claim 14, further comprising	
determining the order of the two or more	
movies based upon one or more	
preferences of the customer.	
	20. See Contention 7.
recited in Claim 14, wherein the delivery	
of the selected movie comprises delivery	
by mail.	
	21. See Contention 8.
recited in Claim 14, wherein the delivery	•
of the selected movie comprises delivery	
by mail on one or more optical media.	
22. A computer-implemented method as	22. See Contention 9.
recited in Claim 14, wherein the delivery	
criteria comprises receipt of the movie by	
mail.	
-	23. See Contention 10.
recited in Claim 14, wherein a number of	
movies delivered to the customer and not	
yet returned does not exceed the	
specified number.	
þ	24. See Contention 1.
for renting movies to customers, the	
method comprising:	
providing electronic digital information	24a. See Contention 1a.
that causes one or more attributes of	
movies to be displayed;	
establishing, in electronic digital form,	24b. See Contention 1b.
from electronic digital information	
received over the Internet, a movie rental	
queue associated with a customer	
comprising an ordered list indicating two	

CLAIM LANGUAGE	ACCUSED METHODS/SYSTEMS
or more movies for renting to the	
customer;	
causing to be delivered to the customer	24c. BLOCKBUSTER Online® does not a fee for retaining one of more movies beyond a specified time
up to a specified number of movies based	associated with delivery beyond the applicable monthly subscription rate.
apoil the order of the fist, wherein the	
retaining one or more movies beyond a	Tou may keep DLUCKBUSTEK Unline Kentals as long as you choose during your Membership Term, for no charge other than the annlicable negligible negligible membership from Mombowskip Dlang DI OCVDITETED Onling®
specified time associated with delivery;	RENTAL TERMS AND CONDITIONS
	No Extended Viewing Fees or Late Fees As a BLOCKBUSTER Online® vental member non page a flat monthly extends and an
	extended viewing fees or late fees on DVDs rented online.
	See "How it Works", at
	http://www.blockbuster.com/homepages/displayPage.action?channel1=Sign+In+Sign+In&channel2=findoutmor
	e&nav=false&cctr=homehowitworks
in response to one or more delivery	24d. See Contention 1d.
criteria being satisfied, selecting another	
movie based upon the order of the list	
and causing the selected movie to be	
delivered to the customer; and	
in response to other electronic digital	24e. See Contention 1e.
information received from the customer	
over the Internet, electronically updating	
the movie rental queue.	
25. A computer-implemented method as	25. See Contention 2.
recited in Claim 24, wherein updating the	
movie rental queue comprises changing	
the order of the two or more movies for	
renting to the customer.	
26. A computer-implemented method as	26. See Contention 3.
recited in Claim 24, wherein updating the	
movie rental queue comprises indicating	
an additional movie in the ordered list.	
27. A computer-implemented method as	27. See Contention 4.
recited in Claim 24, wherein updaing the	

CLAIMILANGUAGE	A@CUSED METHODS/SYSTEMS
movie rental queue comprises removing	
an indication of one or more of the	
movies from the ordered list.	- 1
28. A computer-implemented method as	28. See Contention 5.
recited in Claim 24, wherein the two or	
more movies for renting to the customer	
are selected by the customer.	
29. A computer-implemented method as	29. See Contention 6.
recited in Claim 24, further comprising	
determining the order of the two or more	
movies based upon one or more	
preferences of the customer.	
30. A computer-implemented method as	30. See Contention 7.
recited in Claim 24, wherein the delivery	
of the selected movie comprises delivery	
by mail.	
31. A computer-implemented method as	31. See Contention 8.
recited in Claim 24, wherein the delivery	
of the selected movie comprises delivery	
by mail on one or more optical media.	
32. A computer-implemented method as	32. See Contention 9.
recited in Claim 24, wherein the delivery	
criteria comprises receipt of the movie by	
33 A commiter implemented method of	23 Con Contraction 10
recited in Claim 24, wherein a number of	33. See Contention 10.
movies delivered to the customer and not	
yet returned does not exceed the	
specified number.	
34. A computer-implemented method	34. See Contention 1.
for renting movies to customers, the	
memor comprising:	

CEAIM LANGUAGE	ACCUSED METHODS/SYSTEMS
establishing over the Internet a rental	34a. BLOCKBUSTER Online® requires customers to enter into an online rental agreement that provides for
agreement with a customer that provides	charging the customer a periodic fee.
to charging the customer a penduic ree,	
	"You agree to pay the applicable periodic membership fees (plus taxes) in accordance with your Payment Method issuer agreement, if applicable." How to Subscribe , BLOCKBUSTER Online® RENTAL TERMS AND CONDITIONS
providing electronic digital information	34b. See Contention 1a.
that causes one or more attributes of	
movies to be displayed;	
establishing, in electronic digital form,	34b. See Contention 1b.
from electronic digital information	
received over the Internet, a movie rental	
queue associated with a customer	
comprising an ordered list indicating two	
or more movies for renting to the	
customer;	
causing to be delivered to the customer	34c. See Contention 1c.
up to a specified number of movies based	
upon the order of the list;	
in response to one or more delivery	34d. See Contention 1d.
criteria being satisfied, if the customer is	
current on the periodic fee, selecting	
another movie based upon the order of	
the list and causing the selected movie to	
be delivered to the customer; and	
in response to other electronic digital	34e. See Contention 1e.
information received from the customer	
over the Internet, electronically updating	
the movie rental queue.	
35. A computer-implemented method as recited in Claim 34. wherein undating the	35. See Contention 2.
movie rental queue comprises changing	
the order of the two or more movies for	
renting to the customer.	
36. A computer-implemented method as	36. See Contention 3.

- CLAIM LANGUAGE	ACCUSED METHODS/SYSTEMS
recited in Claim 34, wherein updating the	
movie rental queue comprises indicating	
an additional movie in the ordered list.	
37. A computer-implemented method as	37. See Contention 4.
recited in Claim 34, wherein updating the	
movie rental queue comprises removing	
an indication of one or more of the	
movies from the ordered list.	
38. A computer-implemented method as	38. See Contention 5.
recited in Claim 34, wherein the two or	
more movies for renting to the customer	
are selected by the customer.	
39. A computer-implemented method as	39. See Contention 6.
recited in Claim 34, further comprising	
determining the order of the two or more	
movies indicated by the movie rental	
queue based upon preferences of the	
customer.	
40. A computer-implemented method as	40. See Contention 7.
recited in Claim 34, wherein the delivery	
of the selected movie comprises delivery by mail.	
41. A computer-implemented method as	41 See Contention 8
recited in Claim 34, wherein the delivery	
of the selected movie comprises delivery	
by mail on one or more optical media.	
42. A computer-implemented method as	42. See Contention 9.
recited in Claim 34, wherein the receipt	
of the movie previously delivered to the	
customer comprises receipt by mail.	
43. A computer-implemented method as	43. See Contention 10.
recited in Claim 34, wherein a number of	
movies delivered to the customer and not	
yet returned does not exceed the specified number.	

CEAIN LANGUAGE	ACCUSED METHODS/SYSTEMS
44. A computer system for renting	44. BLOCKBUSTER Online® employs a computer-system for renting movies to customers.
movies to customers, comprising:	
a computer that is coupled to a digital telecommunications network by a digital	44a. BLOCKBUSTER Online®'s computer system comprises a computer that is coupled to digital
telecommunications link;	occommendation of a digital telecomment.
an electronic digital memory in the	44b. BLOCKBUSTER Online® computer system comprises an electronic digital memory in the computer.
Computer,	44 DI OCITATIONE O 11 O.
one or more sequences of computer	44c. BLOCKBUSTER Online®'s computer system comprises one or more sequences of computer program
program instructions stored in the electronic digital memory which when	instructions stored in the electronic digital memory which, when executed, cause the computer(s) to perform the
executed, cause the computer to perform	such increasing to inclinate the PVP relief solvice as described above in claim 1.
the steps of:	
providing electronic digital information	44d. See Contention 1a.
that causes one or more attributes of	
movies to be displayed;	
establishing, in electronic digital form,	44e. See Contention 1b.
from electronic digital information	
received over the Internet, a movie rental	
queue associated with a customer	
comprising an ordered list indicating two	
or more movies for renting to the	
customer;	
causing to be delivered to the customer	44f. See Contention 1c.
up to a specified number of movies based	
upon the order of the list;	
in response to one or more delivery	44g. See Contention 1d.
criteria being satisfied, selecting another	
movie based upon the order of the list	
and causing the selected movie to be	
delivered to the customer; and	
in response to other electronic digital	44h. See Contention 1e.
information received from the customer	
over the Internet, electronically updating	
the movie rental queue.	
45. A computer system as recited in	45. See Contention 2.

GLAINITANGUAGE	ACCUSED METHODS/SYSTEMS
Claim 44, wherein the other electronic	
digital information specifies changing the	
order of the two or more movies for	
renting to the customer.	
46. A computer system as recited in	46. See Contention 3.
Claim 44, wherein the other electronic	
digital information specifies an	
additional movie to add to the ordered	
113t.	
4/. A computer system as recited in Claim 44, wherein the other electronic	4/. See Contention 4.
digital information specifies removing an	
indication of one or more of the movies	
from the ordered list.	
48. A computer system as recited in	48. See Contention 7.
Claim 44, wherein the delivery of the	
selected movie comprises delivery by	
mail.	
49. A computer system as recited in	49. See Contention 8.
Claim 44, wherein the delivery of the	
selected movie comprises delivery by	
mail on one or more optical media.	
50. A computer system as recited in	50. See Contention 9.
Claim 44, wherein the delivery criteria	
comprise receipt by mail.	
51. A computer system as recited in	51. See Contention 10.
Claim 44, wherein a number of movies	
delivered to the customer and not yet	
returned does not exceed the specified	
number.	